

BOARD BILL NO. 227 INTRODUCED BY: ALDERMAN TOM OLDENBURG

1 An ordinance relating to the undergrounding requirements set forth in Chapter 23.42 of the
2 Revised Code of the City of St. Louis; repealing Sections 23.42.010, 23.42.030 through,
3 23.42.050, and 23.42.070 of the Revised Code of the City of St. Louis expanding the scope
4 and applicability of the underground district.

5 **WHEREAS**, the City of St. Louis (“City) seeks to improve infrastructure resilience; and

6 **WHEREAS**, the City seeks to improve public safety, access to the right-of-way, and the
7 aesthetics of the right-of-way; and

8 **WHEREAS**, The City seeks to enhance coordination between the city, utilities, telecoms,
9 and fiber network builders regarding capital improvement projects that include excavation in
10 the right-of-way.

11

12 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

13

14 **SECTION ONE.** Chapter 23.42 Sections 23.42.010, 23.42.030 through, 23.42.050, and
15 23.42.070 of the Revised Code of the City of St. Louis are hereby repealed and replaced by
16 the following, to be and read in words and figures as follows:

17 23.42.010 District Described

18 No wires, tubes or cables conducting or transmitting electricity or communications including
19 fiber networks, wireline and wireless communications, internet and video services shall be

1 placed above the surface of any street, alley or public place in that district of the City bounded
2 easterly by the Mississippi River, westerly by the west line of Twenty-second Street, northerly
3 by the north line of Wash Street, southerly by the south line of Spruce Street and its
4 prolongation to the west line of Twenty-second Street or anywhere in the public right-of-way
5 throughout the city. Conductors above the surface may be placed inside of posts or brackets to
6 connect lamps or signal boxes on streets with underground conductors, and such poles, wires,
7 cables, tubes and other electrical conductors as may be necessary and convenient for local
8 distribution may also be placed above surface; provided, that such poles may be erected in
9 alleys only, and plans and specifications therefor shall be approved and a permit issued for
10 such poles by the Board of Public Service.

11 23.42.030 - Penalty for placing wires above surface.

12 Any person placing any wire, tube, cable, pole or other apparatus for conducting or
13 transmitting electricity or communications above the surface, along or across any street, alley
14 or public place in the district described in Section 23.42.010 of this chapter shall be deemed
15 guilty of a misdemeanor and upon conviction thereof shall be fined not less than ten dollars
16 nor more than five hundred dollars, and each and every wire, tube or cable over each and
17 every street, alley or public place for each and every day shall constitute a separate offense.

18 23.42.040 - Wires shall be an obstruction—Exception.

19 All conductors, poles and other apparatus used for conducting or transmitting electricity or
20 communications along or across any street, alley or public place in the district described in

1 Section 23.42.010 of this chapter, shall be deemed an obstruction to, and encroachment on the
2 highways, except those used by street railways as now authorized by special ordinance.

3 23.42.050 - Penalty for failure to put wires underground.

4 Any person owning or using wires, tubes or cables for the purpose of conducting or
5 transmitting electricity or communications above the surface of and along or across any street,
6 alley or public place within the district described in Section 23.42.010 who shall permit them
7 to remain above the surface of such street, alley or public place after ~~December 31, 1898,~~
8 January 1, 2019, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined
9 not less than ten dollars nor more than one hundred dollars, and each and every wire over
10 each and every street, alley or public place shall constitute a separate offense for each and
11 every day that the wire, tube or cable is permitted to remain.

12 23.42.070 - Permit required.

13 Any person who was authorized by the Charter prior to ninety days after the passage
14 of Ordinance 8680 to operate wires, tubes or cables conducting, transmitting or employing
15 electricity or communications for public use and desiring to place these wires, tubes or cables
16 under the surface of any of the streets, alleys or public places of the City is authorized after
17 the expiration of ninety days from the approval of Ordinance 18680 to construct underground
18 conduits and to place and operate wires, tubes and cables therein. Such person must first apply
19 for, and receive from the Board of Public Service, a permit to construct conduits, ducts,
20 manholes and other appurtenances as may be required for placing the wires, tubes or cables
21 underground. This application shall be accompanied by full, general and detailed plans

- 1 showing the route, capacity and dimensions of the conduits, ducts, manholes and other
- 2 appurtenance.